

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26892 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- WARISNAGAR District- Samastipur

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KISHAN KUMAR @ KALI SON OF MD. ASHARAF @ ASHRAF ALI
RESIDENT OF VILLAGE - MATHURAPUR, P.S. - WARISNAGAR
(MATHURAPUR O.P.), DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Warisnagar P.S. Case No. 48 of 2024 instituted for the offences
punishable under Section 414 of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of engaging in committing theft and there has been
recovery of 40 mobile phones and cash of Rs. 2,50,000/- from a
Car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner has



neither the owner nor the driver of the seized Car and he has no concern with the alleged recovery. No incriminating/looted article has been recovered from the conscious possession of the petitioner. On the basis of suspicion and in order to save the real culprits, the police has falsely implicated the petitioner in the present case. The petitioner is in custody since 17.02.2024 and has no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of injury as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Warisnagar P.S. Case No. 48 of 2024, Subject to following conditions:

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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